

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et
al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**Re: ECF Nos. 1881, 1885, 1933,
1991, 2196**

**INFORMATIVE MOTION REGARDING THE
CONSENSUAL ADJOURNMENT OF COMMONWEALTH OF PUERTO RICO'S
MOTION FOR AN ORDER AUTHORIZING ASSUMPTION OF AGREEMENT WITH
EDUARDO JOSÉ MANDRY MERCADO AND LUCÍA CASA CASAL PURSUANT TO
BANKRUPTCY CODE SECTION 365 TO THE MARCH 7, 2018 OMNIBUS HEARING**

To the Honorable United States District Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), on behalf of the Commonwealth of Puerto Rico (the “Commonwealth”) hereby states and prays as follows.²

1. On November 29, 2017, the Commonwealth filed the *Commonwealth of Puerto Rico's Motion for an Order Authorizing Assumption of Agreement with Eduardo Jose Mandry*

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² The Financial Oversight and Management Board for Puerto Rico, as the Debtors' representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act*, has authorized AAFAF to file this Informative Motion on behalf of the Commonwealth.

Mercado and Lucía Casas Casal Pursuant to Bankruptcy Code Section 365 [ECF No. 1881] (the “Assumption Motion”).

2. On November 30, 2017, the Court entered the *Order Granting Urgent Motion for Extension of Deadlines in Connection with the Third Amended Notice, Case Management and Administrative Procedures* [ECF No. 1885] (the “Scheduling Order”), which set December 20, 2017 as the date the Assumption Motion would be heard by the Court.

3. On December 7, 2017, Javier Mandry Mercado (“Objector”) filed the *Motion in Opposition to Petition (Docket 1881) and in Response to Order (Docket 1885)* [ECF No. 1933] (the “Opposition”), requesting that the Court vacate the Scheduling Order.

4. On December 13, 2017, the Commonwealth filed the *Commonwealth of Puerto Rico’s Response to Opposition Filed by Javier Mandry Mercado to Motion for an Order Authorizing Assumption of Agreement with Eduardo Mandry Mercado and Lucía Casa Casal Pursuant to Bankruptcy Code Section 365* [ECF No. 1991] (the “Response”), agreeing to adjourn the hearing on the Assumption Motion to the February 7, 2018 omnibus hearing.

5. On December 29, 2017, Objector filed the *Reply to ‘Response to Commonwealth of Puerto Rico’s Response to Opposition Filed by Javier Mandry Mercado to Motion for an Order Authorizing Assumption of Agreement with Eduardo Mandry Mercado and Lucía Casa Casal Pursuant to Bankruptcy Code Section 365’ (Docket 1991)* [ECF No. 2196].

6. The Assumption Motion is currently set for hearing at the February 7, 2018 omnibus hearing. After Objector filed the Opposition, AAFAF, on behalf of the Commonwealth, reached out to Objector to gather more information on the contract at issue. AAFAF and Objector have mutually agreed to adjourn the hearing on the Motion to the omnibus hearing scheduled for

March 7, 2018 at 9:30 a.m. (Atlantic Standard Time), which gives both parties additional time to conduct diligence regarding the underlying contract.

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Dated: February 5, 2018
New York, New York

Respectfully submitted,

/s/ Peter Friedman

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